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TO: Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

FROM: George O. Saile, Reg. No. 19,572  
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SUBJECT: Serial #: 10/849,310  
File Date: 05/19/04  
Inventor: Cheng T. Horng  
Examiner: Dang, Phuc T.  
Art Unit: 2818  
Title: A Novel Buffer (Seed) Layer For Making  
A High-Performance Magnetic Tunneling Junction  
RAM.

### RESPONSE TO OFFICE ACTION

This is in response to the office action dated 04/01/2005 closing prosecution on the merits under Ex Parte Quayle. Please amend the above identified application for patent as follows:

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents P. O. Box 1450, Alexandria, VA 22313-1450, on:

May 27, 2005

Signature

Stephen B. Ackerman, Reg. No. 37,761

**Amendment to the Specification** is on page 3 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 4 of this paper.

**Remarks/Arguments** begin on page 10 of this paper.